

Request for Continued Examination (RCE) Transmittal

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

<i>Application No.</i>	10/799,163
<i>Filing Date</i>	March 12, 2004
<i>Named Inventor(s)</i>	
HOLADAY ET AL.	
<i>Group/Art Unit</i>	1643
<i>Examiner Name</i>	Christopher H. Yaen
<i>Attorney Docket No.</i>	05213-0077 (13663-105206)

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.33(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice. Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1222 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on . (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on .
- iii. ☐ Other _____.
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other: Extension of time

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required)
- b. ☐ Other:

3. Fees (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)

- a. ☒ The Director is hereby authorized to charge any deficiencies, or credit any overpayments, to Deposit Account No. 11-0980.
- i. ☐ RCE Fee required under 37 CFR § 1.17(e)
- ii. ☐ Extension of time fee (37 CFR §§ 1.136 and 1.17)
- iii. ☐ Other:
- b. ☐ Check in the amount of \$ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

Signature of Applicant, Attorney or Agent Required

F. Brent Nix, Esq.

KING & SPALDING LLP

34th Floor, 1180 Peachtree Street, N.E.

Atlanta, Georgia 30309-3521

By: /FBN/ Reg. No. 59,004

Date: October 11, 2007

Telephone: 404.572.4600

Customer No. 20786

Facsimile: 404.572.5134

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I hereby certify that this correspondence is being electronically transmitted to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on October 11, 2007.

/FBN/

F. Brent Nix, Reg. No. 59,004